IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE B.PRAKASH RAO
AND
THE HON'BLE MR. JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 5847 OF 2006

Dated: 13th December, 2006

Between:

P.Madhusudana Rao

Petitioner

AND

The Government of Andhra Pradesh,
Rep. by the Chief Secretary,
Government of Andhra Pradesh
General Administration (SC.D) Department,
Secretariat Building, Hyderabad, and others

Respondents

ORDER:
(Per the Hon'ble Sri Justice Ramesh Ranganathan)

Aggrieved by the order of Central Administrative Tribunal, Hyderabad Bench, in O.A. No.98 of 2006 dated 28.02.2006, the present writ petition is filed.

The petitioner herein filed the O.A. questioning the

action of the respondents in keeping his name in the sealed cover on account of the pendency of disciplinary proceedings.

The Central Administrative Tribunal, by order dated 28.02.2006, held that no case was made out for granting the relief sought for by the petitioner that he should be considered without reference to the pendency of the disciplinary proceedings and promoted as the Chief Conservator of Forests. The Tribunal noted that the earlier O.A. No. 543 of 2004 filed by the petitioner, was disposed of on 15.03.2005, with a direction to open the sealed cover upon conclusion of the disciplinary proceedings and that, depending upon the result of the disciplinary proceedings, further action should be taken.

Mr. K. Sudhakar Reddy, learned counsel for the petitioner, submits that subsequent to the writ petition having been filed, the Enquiring Authority submitted a report holding that the charge was not established and pursuant thereto, the Government has issued GO Rt. No. 6008 General Administration (SC.D) Department Dated 26.10.2006 accepting the finding of the Enquiring Authority and had decided to drop further action against the petitioner.

The learned Government Pleader, on instructions, would agree that the disciplinary proceedings against the

petitioner have indeed been dropped.

In view of the fact that the disciplinary proceedings have now been dropped, and no other impediment for opening the sealed cover has been brought to our notice, the respondents are directed to open the sealed cover and to effect promotions in accordance with the directions of the Central Administrative Tribunal, Hyderabad Bench, in OA No. 543 of 2004 dated 15.03.2005.

With the above direction, the writ petition is disposed of. No order as to costs.

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B.Prakash Rao, J.

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Ramesh Ranganathan, J.

December 13, 2006
MAS.